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MAPALM AND OTHER INCENDIARY WEAPONS AND ALL
ASPECTS OF THEIR POSSIBLE USE

Report of the First Committee

Rapporteur: Mr. Horacio ARTEAGA-ACOSTA (Venezuela)

1. The item entitled "Napalm and other incendiary weapons and all aspects of their possible use: report of the Secretary-General" was included by the Secretary-General in the provisional agenda of the thirtieth session on the basis of General Assembly resolution 3255 A (XXIX) of 9 December 1974.
2. At its 2353rd plenary meeting, on 19 September 1975, the General Assembly, on the recommendation of the General Committee, decided to include the item in the agenda of its thirtieth session and to allocate it to the First Committee for consideration and report.
3. At its 2072nd meeting, on 30 October, the First Committee decided to hold a combined general debate on the items allocated to it relating to disarmament and the Indian Ocean as a zone of peace, namely, items 31, 34 to 48, 120, 122 and 126. The general debate on these items took place at the 2072nd to 2095th meetings, from 30 October to 21 November.
4. The First Committee had before it, in connexion with agenda item 35, two reports of the Secretary-General (A/10222 and A/10223 and Add.1).
5. On 24 November, Austria, Egypt, Ethiopia, India, Ireland, the Netherlands, New Zealand, Nigeria, Norway, Mexico, Sweden, Tunisia, Venezuela and Yugoslavia submitted a draft resolution (A/C.1/L.728), which subsequently was also sponsored by Jordan, Kenya and Zaire. The draft resolution was introduced by the representative of Sweden at the 2097th meeting. A statement on the administrative and financial implications of the draft resolution was submitted by the Secretary-General on 27 November (A/C.1/L.736).

6. At its 2106th meeting, on 4 December, the First Committee adopted draft resolution A/C.1/L.728 without a vote (see para. 7 below).

RECOMMENDATION OF THE FIRST COMMITTEE

7. The First Committee recommends to the General Assembly the adoption of the following draft resolution:

Napalm and other incendiary weapons and
all aspects of their possible use

The General Assembly,

Convinced that the suffering of civilian population and combatants could be significantly reduced if general agreement can be attained on the prohibition or restriction for humanitarian reasons of the use of specific conventional weapons, including any which may be deemed to be excessively injurious or to have indiscriminate effects,

Mindful that positive results in this regard are likely to facilitate subsequent substantive disarmament negotiations with a view to the elimination of production, stockpiling and proliferation of the weapons in question, which should be an ultimate objective,

Recalling that the issue of prohibitions or restrictions for humanitarian reasons of the use of specific conventional weapons has been the subject of serious and substantive discussion at the level of government experts at the Lucerne Conference under the auspices of the International Committee of the Red Cross and of government representatives at the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts and in the General Assembly of the United Nations,

Aware that the discussions, as well as the proposals and suggestions which have been advanced, have regard not only to napalm and other incendiary weapons but to a number of other specific kinds of conventional weapons, such as various small-calibre projectiles, certain blast and fragmentation weapons, as well as some delayed action weapons and perfidious weapons,

Conscious of the need to continue discussion and for supplementary data to enable Governments to reach further conclusions and to seek broad agreement,

Noting with satisfaction that the issue will be before a second conference of government experts to be held under the auspices of the International Committee of the Red Cross at Lugano from 28 January to 26 February 1976, with a view to focusing on such weapons as have been or might become the subject of proposed bans or restrictions and to studying the possibility, contents and form of such proposed bans or restrictions and that, thereafter, the issue will come before the Diplomatic Conference on International Humanitarian Law Applicable in Armed Conflicts, to be held at Geneva from 21 April to 11 June 1976,

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Trusting that this further work will be inspired by a sense of urgency and a wish to attain concrete results,

1. Takes note of the reports by the Secretary-General on the work of the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts as regards the work of the Conference relevant to the present resolution; 1/

2. Invites the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts to continue its consideration of the use of specific conventional weapons, including any which may be deemed to be excessively injurious or to have indiscriminate effects, and its search for agreement for humanitarian reasons on possible rules prohibiting or restricting the use of such weapons;

3. Requests the Secretary-General, who has been invited to attend the Diplomatic Conference as an observer, to report to the General Assembly at its thirty-first session on aspects of the work of the Conference and of the Lugano Conference relevant to the present resolution;

4. Decides to include in the provisional agenda of its thirty-first session an item entitled "Incendiary and other specific conventional weapons which may be the subject of prohibitions or restrictions of use for humanitarian reasons".

1/ A/10195 and Corr.1, and A/10222.